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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|----------------------------------|------------------|
| 10/661,193 | 09/12/2003 | Joshua Lindquist | 60001.0273US01/MS# 304005 | 8309 |
| 7590 | 03/27/2006 | | EXAMINER LEWIS, CHERYL RENE A | |
| Leonard J. Hope Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903 | | | ART UNIT 2167 | PAPER NUMBER |

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|----------------------------------|--|
| Office Action Summary | Application No. 10/661,193 | Applicant(s) LINDQUIST ET AL. | |
| | Examiner Cheryl Lewis | Art Unit 2167 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/1/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-21 are presented for examination.

INFORMATION DISCLOSURE STATEMENT

2. The information disclosure statements filed on March 1, 2004, complies with the provisions of MPEP § 609. They have been placed in the application file, and the information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 14 and 19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 14 and 19 recite 'solution specification file' and the claims do not provide any detailed limitation as to what a 'solution specification file' is. The claim language is broad and difficult to interpret. The examiner requests that the applicant consider providing further detailed information about the claimed 'solution specification file' and consider providing detailed descriptive information about the specific functionality of a 'solution specification file'.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Zhao (Publication No. US 2002/0124007 A1, filed March 2, 2001).

7. Regarding Claims 1 and 9, Zhao teaches a network server and database therein.

The method and associated system for a network server and database therein as taught or suggested by Zhao includes:

receiving a request from the application at the server computer for a resource (paragraphs 0010 and 1120); determining whether a property value maintained at the server computer should be returned with the resource (paragraphs 0010, 0038, 0041, 0042, 0044, and 0057); in response to determining that the property value should be returned with the resource, retrieving the current value of the property and rendering into the resource a variable statement specifying the current value of the property (paragraphs 0010, 0038, 0041, 0042, 0044, and 0057); returning the resource including the variable statement to the requesting application (paragraphs 0044, 0045, 0051, and 0052); a client computer operative to generate the request to the server computer for

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the resource (paragraphs 0010 and 0029), to receive the resource from the server (paragraph 0029, 0037, 0039, 0076, and 0077).

8. Regarding Claim 2, Zhao teaches the resource comprises a page displayable by the application (paragraph 0021), wherein a property value maintained at the server computer should be returned with the resource (paragraphs 0010, 0038, 0041, 0042, 0044, and 0057) comprises determining whether a data file (paragraphs 0045 and 0047) associated with the page includes a tag indicating that a property value should be returned with the resource (paragraphs 0044, 0045, 0051, and 0052).

9. Regarding Claims 3 and 11, Zhao teaches the tag comprises the name utilized by the server computer to identify the property value (paragraphs 0010, 0038, 0041, 0042, 0044-0049, and 0057).

10. Regarding Claims 4 and 12, Zhao teaches a name that should be utilized to refer to the property value within the variable statement (paragraphs 0010, 0038, 0041, 0042, 0044-0049, and 0057).

11. Regarding Claims 5 and 13, Zhao teaches rendering into the resource program code utilizing the variable statement into the resource (paragraphs 0010, 0038, 0041, 0042, 0044-0049, and 0057).

12. Regarding Claim 6, the limitations of this claim has been noted in the rejection of claims 1 and 2 above. It is therefore rejected as set forth above.

13. Regarding Claims 7 and 8, Zhao teaches a computer-readable medium having stored thereon computer executable instructions executed by a computer (paragraphs 0011 and 0021).

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14. Regarding Claim 10, the limitations of this claim has been noted in the rejections of claims 1, 2, and 9 above. It is therefore rejected as set forth above.

15. Regarding Claim 14, Zhao teaches the program code is contained within the solution specification file (paragraphs 0045 and 0047).

16. Regarding Claim 15, Zhao teaches a server property tag (paragraphs 0010, 0038, 0041, 0042, and 0044) indicating whether a property value maintained at the server computer (paragraphs 0010, 0038, 0041, 0042, 0044, and 0057) should be exposed to the client computer within a resource requested by the client computer (paragraphs 0029, 0030, 0034, and 0035).

17. Regarding Claim 16, Zhao teaches a property parameter that identifies a name utilized by the server computer to identify the property value (paragraph 0033).

18. Regarding Claim 17, Zhao teaches the server property tag further comprises a name parameter that identifies a name that should be utilized by the client computer to refer to the property value within a variable statement (figure 6, paragraph 0044).

19. Regarding Claim 18, Zhao teaches one or more data fields include program code that may be executed on the client computer to utilize the variable statement (paragraphs 0036, 0060, and 0061).

20. Regarding Claim 19-21, the limitations of these claims have been noted in the rejections of claims 1, 2, and 9 above it is therefore rejected as set forth above.

NAME OF CONTACT

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-4113. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cheryl Lewis
Patent Examiner
March 17, 2006